

REMARKS

The present invention is a communication device comprising a body and an attached cover having an aperture, wherein the device has a closed configuration in which portions of the body are covered and an open configuration in which at least some of the portions covered in the closed configuration are uncovered. A communication device in accordance with an embodiment of the invention includes a body 4 and an attached cover 6 having an aperture 42 wherein the device has a closed configuration as illustrated in Fig. 1B and an open configuration as illustrated in Figs. 2a and 2b in which at least some of the portions covered in the closed configuration are uncovered with the body comprising a receiver 46 which receives data via radio transmissions; a display 26 operative independently whether the cover is in the open or closed configuration and positioned such that in the open configuration, the display is uncovered and positioned such that in the closed configuration the aperture is substantially aligned with the display so that at least a portion of the display is visible to a user through the aperture; and a processor 44 which controls the display to show received data as text, wherein when the device is in the closed configuration, the processor provides the received text to the user as text which streams, without repeated user input, through the visible portion of the display. See page 19, lines 5-16, and lines 26-29, through page 20, lines 1-3, for a description of text which streams; and page 17, lines 18-24, for a description of key actuation of scrolling in the Substitute Specification.

Claims 19, 20, 23-25, 28-30 and 35-36 stand rejected under 35 U.S.C. §103 as being unpatentable over WO 99/23800 (Cushion et al). These grounds of rejection are traversed for the following reasons.

Each of the independent claims 19, 38 and 40 define a communication device comprising a body and an attached cover having an aperture, wherein the device has a closed configuration in which portions of the body are covered and an open configuration in which at least some of the portions covered in the closed configuration are uncovered and further, as recited in claim 19, "a processor which controls the display to show received data as text, wherein when the device is in the closed configuration the processor provides the received text to the user as text which streams, without repeated user input, through the visible portion of the display, as recited in claim 38 "a processor which controls the display to show received data as text, wherein the device includes a user input key, and wherein when the device is in the closed configuration a single actuation of the user input key causes the processor to provide the received text to the user as text which streams through the visible portion of the display" and as recited in claim 40, "a processor which controls the display to show received data as text, wherein when the device is in the closed configuration, the processor provides the received text to the user as text which streams, without repeated user input, through the visible portion of the display, and wherein the processor is responsive to movement of the cover from the closed portion to the open position to continue to display the text but to display the format in which the text is displayed. This subject matter has no counterpart in Cushion et al.

Cushion et al discloses a cellular hand held telecommunications device having first and second parts 10 and 12 connected by a hinge 14-16 so that the first

and second parts can be folded together or unfolded as described at page 5, line 36 through page 6, line 1. Display 24 displays text as described on page 6, lines 14-26, which may be viewed through the cutout when folded together as described at page 6, lines 31-36. However, Cushion et al do not disclose the streaming of text when the first and second parts 10 and 12 are placed together which may be seen by the cross switch 34 which is utilized, as understood by persons of ordinary skill in the art, to provide commands to the keypad 20 as described on page 6, lines 38-41, through page 7, lines 1-6, to advance the display manually which is not the claimed scrolling. Accordingly, the aforementioned limitations of the processor as recited in the independent claims are not disclosed by Cushion et al.

Moreover, there is no basis in the record why a person of ordinary skill in the art would be led to modify the teachings of Cushion et al to arrive at the subject matter of dependent claims 20, 23-25, 28-30, 35-36 and newly submitted claims 38-40 except by impermissible hindsight.

Claims 21, 22, 26, 27, 31-34 and 37 stand rejected under 35 U.S.C. §103 as being unpatentable over Cushion et al in view of WO 99/21343 (Azartash et al). These grounds of rejection are traversed for the following reasons.

Azartash et al has been cited as disclosing movement of the cover from an open position to the closed position to continue to display text and to change the format in which the text is displayed. However, Azartash et al do not cure the deficiencies noted above with respect to Cushion et al with respect to the independent claims. Azartash et al would not motivate a person of ordinary skill in the art to provide the streaming of data as recited in independent claims 19, 38 and 39.

The streaming of text in accordance with the present invention provides the user the ability to view the text even when the phone is in the closed position with the same facility as if the phone were in the open position. This minimizes potential damage to the display since the text may be read while the phone is in the closed position.

Moreover, newly submitted claim 38, recites a single actuation of a user input key causes the processor to provide received text to the user which streams through the visible portion of the display which is not suggested by Cushion et al or Azartash.

Moreover, newly submitted claim 40 further recites the received text to the user streams in response to movement of the cover from the closed position to the open position to continue the display to change the format in which the text is displayed. While Azartash does magnify text when the phone is moved from the open position to the closed position, there is no disclosure of the subject matter of claim 40 being provided in combination with the claimed streaming.

Claim 39 limits claim 38 in reciting that the user input key causes the processor to provide the received text to the user as text, which streams without repeated user input, through the visible input of the display which is the subject matter recited in claim 19.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance.

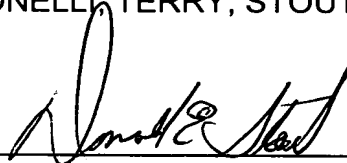
Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the

filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1156.41543X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

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Attachments

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